

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

KAREN SUE BOES,

Petitioner,

v.

CASE NO. 09-CV-12279

HON. PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

MILLICENT WARREN,

Respondent,

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**ORDER GRANTING THE MOTION TO FILE BRIEF INSTANTER**

On June 29, 2012, the parties entered a stipulation, in which petitioner's counsel was given sixty days to file a brief in support of his amended petition for writ of habeas corpus and respondent would be given sixty days after the filing of the brief to file an answer to the amended petition for writ of habeas corpus. On September 21, 2012, petitioner filed a brief in support of the amended habeas petition. Petitioner has also filed a Motion to File Brief Instanter.

There is no indication of purposeful delay on the part of petitioner's counsel in filing the brief in support of the amended petition and this Court has the discretion in extending the time to file pleadings in a habeas case. For those reasons, the Court will grant the Motion To File Brief Instanter. *See e.g. Whitfield v. Martin*, 157 F. Supp. 2d 758, 761 (E.D. Mich. 2001).

Based upon the foregoing, the Motion to File Brief Instanter [Dkt. # 11] is **GRANTED**.  
**SO ORDERED.**

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 5, 2013

CERTIFICATE OF SERVICE

Copies of this Order were served on the parties and/or attorneys of record by electronic means or U.S. Mail on June 5, 2013.

s/Deborah R. Tofil  
Case Manager